

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LOREM VASCULAR, Ptd. Ltd., a Singapore)
Company,)
Plaintiff,)
v.) C.A. No. 21-cv-885-MN
PLUS THERAPEUTICS, INC., f/k/a CYTORI)
THERAPEUTICS, INC., a Delaware Corporation;)
and DOES 1 through 30, inclusive,)
Defendants.)

**DECLARATION OF DAVID KOWALSKI IN SUPPORT OF DEFENDANT'S REPLY
BRIEF IN SUPPORT OF ITS MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

I, David Kowalski, declare as follows:

1. I am an attorney at the law firm of Latham & Watkins LLP, counsel for Defendant Plus Therapeutics, Inc. I submit this declaration in support of Defendant's Reply Brief in Support of its Motion to Dismiss Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6).
2. I am a member in good standing of the Bar of the State of California, and I am admitted on a Pro Hac Vice status to represent Defendant in the Federal District Court for the District of Delaware in the above captioned matter.
3. Unless otherwise stated, I have personal knowledge of the facts set forth in this declaration.
4. Attached as **Exhibit 3** is a true and correct copy of the website <https://www.global-regulation.com/translation/china/158926/regulations-on-supervision-and-administration-of-medical-devices.html> (last accessed September 30, 2021), which was cited by Plaintiff in

footnote 4 of its Answering Brief in Opposition to Defendant's Motion to Dismiss.

5. Attached as **Exhibit 4** is a true and correct copy of an English translation of the Order of the State Council of the People's Republic of China No. 650 (Effective Date June 1, 2014) provided by LexisNexis China.

6. Attached as **Exhibit 5** is a true and correct copy of an English translation of the Order of the State Council of the People's Republic of China No. 680 (Effective Date May 4, 2017) provided by LexisNexis China.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of September 2021, in San Diego County, California.



David Kowalski